

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**COMMUNICATIONS REGULATORY AUTHORITY OF THE REPUBLIC OF**  
**LITHUANIA**  
**AND**  
**NATIONAL COMMISSION FOR THE STATE REGULATION OF**  
**COMMUNICATIONS AND INFORMATIZATION OF UKRAINE**  
**REGARDING COOPERATION AND EXCHANGE OF INFORMATION ON**  
**ELECTRONIC COMMUNICATIONS REGULATION**

27 April 2018 No. ND-3

The National Commission for the State Regulation of Communications and Informatization of Ukraine and the Communications Regulatory Authority of the Republic of Lithuania,

HEREINAFTER individually referred to as the “Party” and collectively, as the “Parties”,

ACKNOWLEDGING the good cooperation relations between the Parties,

RECOGNIZING the mutual interest in establishing a cooperation partnership in the regulation of electronic communications sector,

TAKING INTO ACCOUNT that the cooperation between the two Parties would contribute to the development of consistent regulatory practices in states of Parties,

RECOGNIZING that both Parties shall benefit from the mutual cooperation through information exchange,

BEING AWARE that the cooperation in the field of electronic communications shall enable the further development of relations between the Parties,

GUIDED by the provisions of the Agreement on Economic, Industrial, Scientific and Technical Cooperation between the Government of the Republic of Lithuania and the Cabinet of Ministers of Ukraine dated 09 December 2005, and by the provisions of the legislation in force in the states of the Parties and their international obligations,

Within the scope of their competence have agreed as follows:

## **Article 1. Cooperation Objective**

1. The main objective of this Memorandum of Understanding is to establish the framework for cooperation and information exchange between the Parties, in compliance with their duties and within their competence, in the field of regulation and supervision of activities in electronic communications in accordance with the legislation in force in the States of the Parties. For this purpose, the Parties may conduct joint activities.
2. The cooperation shall promote the exchange of information regarding the national and the European Union legislation applicable to electronic communications, exchange of experience regarding the regulation and consultations in these areas.
3. The Parties expect this cooperation to support their regulatory activities intended to promote competition in electronic communications and to protect the interests of end users of electronic communications services, in line with the best European Union and international practices.

## **Article 2. Areas of Cooperation**

For the purpose of strengthening the institutional capacity of the Parties, the cooperation between them may include:

- a. regulation of the markets of electronic communications services;
- b. management of limited electronic communications resources;
- c. promotion of a competitive environment in electronic communications;
- d. prevention of actions aimed at or resulting in distortion or restriction of competition in electronic communications;
- e. exchange of best practices between the two regulators;
- f. promotion of technical innovations in electronic communications;
- g. intermediation in cooperation with other international regulatory authorities or organizations acting in the field of electronic communications;
- h. protection of the interests of end-users of electronic communications services.

## **Article 3. Cooperation Forms and Tools**

1. The Parties have agreed on the following forms and tools of cooperation:
  - a. exchange of experience and documentation of professional nature, non-confidential or unclassified, related to the activities in electronic communications of the Parties;
  - b. exchange of experience during international seminars, conferences;
  - c. conducting joint workshops, seminars, conferences;
  - d. organization of bilateral consultations at management and expert levels to promote cooperation and exchange of experience and expertise pertaining to a large spectrum of activities in electronic communications;
  - e. establishment of expert teams, in order to achieve the objectives of this Memorandum of Understanding;
  - f. assistance in application of best practices to be applied in the regulation of electronic communications;
  - g. analysis of relevant case studies in electronic communications;

- h. other forms of cooperation agreed upon by the Parties, on the basis of specific cooperation proposals, as an expression of subsequent coordinated or joint actions of the Parties.
2. The Parties shall meet regularly to review the progress made and, eventually, to discuss the new ways to enhance cooperation through joint activities and through the forums (groups) of the Parties or to explore potential synergies.

#### **Article 4. Financial Aspects**

1. Each Party shall cover its own costs incurred in performing the cooperation activities under this Memorandum of Understanding.
2. Cooperation activities referred to in this Memorandum of Understanding shall be fulfilled provided that the necessary funds and other resources are available to the Parties.
3. In case the measures adopted for the implementation of this Memorandum of Understanding give rise to financial or legal obligations whatsoever, the Parties, before adopting such measures, shall conclude a separate agreement under financial rules and regulations in force in the States of the Parties.

#### **Article 5. Amendments**

1. This Memorandum of Understanding may be amended by the Parties through conclusion of additional protocols that enter into force in accordance with Article 7(1) of this Memorandum of Understanding, if the additional protocols do not define otherwise.
2. The additional protocols referred to in Paragraph 1 above shall be concluded in a written form and be an integral part of this Memorandum of Understanding with the provisions of Article 7 being duly applicable.

#### **Article 6. Compliance and Dispute Settlement**

1. The Parties commit to comply, exactly and in good faith, with the provisions of this Memorandum of Understanding.
2. Any disputes concerning the application or the interpretation of this Memorandum of Understanding shall be settled as early as possible, peacefully.

#### **Article 7. Final Provisions**

1. This Memorandum of Understanding is concluded for three years and enters into force on the date of its signature by the last of the Parties.
2. This Memorandum of Understanding shall be tacitly renewed for the successive three-year periods, unless either Party notifies the other Party in writing of its intention to terminate this Memorandum of Understanding, at least 60 days before the expiration of the current period.
3. This Memorandum of Understanding may be terminated at any time, in writing, by either Party upon a prior 60-day notice to the other Party.

4. In the event of termination, the Parties shall ensure the immediate end of all joint activities from the date when the notice about termination was received without delay.
5. This Memorandum of Understanding shall not affect any rights and obligations under any international treaties of the States of the Parties and agreements of the Parties, international commitments and the national legislation of each State of the Party.

Signed on 26 April, 2018 in Kyiv (Ukraine) in two originals, each in Ukrainian, Lithuanian and English languages, all texts being authentic. In the case of divergences of the interpretation of the provisions of this Memorandum of Understanding, the English text shall prevail.

**For the National Commission for the  
State Regulation of Communications  
and Informatization of Ukraine**

Oleksandr Zhyvotovskiy  
Chairman

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**For the Communications Regulatory  
Authority of the Republic of Lithuania**

Feliksas Dobrovolskis  
Director

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